

## CHAPTER 71

## An Act to Amend the Vancouver Charter

[Assented to 6th April, 1968.]

Preamble.

WHEREAS the City of Vancouver has presented a petition praying that the *Vancouver Charter* be amended:

And whereas it is expedient to grant the prayer of the said petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the *Vancouver Charter Amendment Act, 1968*.

Amends s. 7

2. Section 7 of the *Vancouver Charter*, S.B.C. 1953, chapter 55, is amended by striking out the words "fifteenth day of June" wherever they appear in clauses (a) and (b) and substituting the words "thirty-first day of August", and by striking out the word "August" in the fifth line of clause (b) and substituting "September", so that the section shall read as follows:—

"7. For the purpose of an election for the office of Mayor or Alderman, the following persons shall be entitled to have their names entered on the list of electors as owner-electors:—

"(a) Every person (not being a corporation) who is a British subject and of the full age of twenty-one years, and who, on the thirty-first day of August of the year in which the list is certified, is

"(i) the registered owner of any real property held in his own right in the city; or

"(ii) a principal lessee of a suite, used solely as a dwelling, in a building of which a corporation is the registered owner; provided

"(A) such corporation operates on a non-profit basis; and

"(B) the memorandum of association of such corporation stipulates that such building shall be owned and operated for the benefit of occupant shareholders only; and

"(C) such principal lessee is the holder of shares in the corporation approximately equivalent in value to the capital cost of the suite; and

"(D) such principal lessee makes application to the City Clerk during the period between the first day of January and the thirty-first day of August, inclusive, or who makes application as provided in section 23; provided, however, that no principal lessee shall be

entitled to have his name entered on the list of electors as an owner-electors if during the period of twelve months immediately preceding the date of the application referred to above the accommodation of such principal lessee was subleased or occupied (for a period exceeding four months) by any person who is not the husband or wife or father or father-in-law or mother or mother-in-law, son or daughter, brother or sister of such principal lessee:

“(b) Every person (being a corporation other than a corporation as provided in clause (a)) which, on the thirty-first day of August of the year in which the list is certified, is the registered owner of any real property held in its own right in the city, if there is on file with the City Clerk, before the eighth day of September, a written authorization naming some person of the full age of twenty-one years, who is a British subject, to be its agent to vote on behalf of such corporation.”

Amends s 9     **3.** Section 9 is amended by striking out the word “ May ” in the third line of subsection (1) and substituting the word “ June ”, so that the subsection shall read as follows:—

“ 9. (1) For the purpose of such an election, the following persons shall be entitled to have their names entered on the list of electors as resident-electors. Every person who, on the fifteenth day of June of the year in which the list is certified, is a British subject of the full age of twenty-one years, and who has continuously resided in the City of Vancouver since the first day of January of the current year.”

Amends s 12     **4.** Section 12 is amended by striking out the word “ May ” in the second line and substituting the word “ June ”, so that the section shall read as follows:—

“ 12. In order to assist him in ascertaining which persons were resident-electors on the fifteenth day of June in any election year, the City Clerk shall cause a canvass to be made of dwellings throughout the city ”

Amends s 16     **5.** Section 16 is amended by striking out the words “ fifteenth day of June ” in the second line and substituting the words “ thirty first day of August ”, so that the section shall read as follows:—

“ 16. In order to ascertain what persons were owners, or owners under agreement, of any real property on the thirty-first day of August in any year, the City Clerk shall have recourse to the last revised real-property assessment roll, or later records kept by the Assessment Commissioner ”

Amends s 19     **6.** Section 19 is amended by striking out the word “ August ” in the first line and substituting the word “ September ”, so that the section shall read as follows:—

“ 19. The City Clerk shall, before the eighth day of September in each election year, cause a register of electors to be prepared, in which he shall

insert, so far as he can ascertain them, the name and address of every person entitled under the provisions of this Act to have his name entered on the list of electors, whether as an owner-elect, tenant-elect, or resident-elect."

Amends s. 22

**7.** Section 22 is amended by striking out the words "eighth day of August" in the first line and substituting the words "eighth day of September", and by striking out the words "twenty-first day of August" in the first and second lines and in the eleventh and twelfth lines and substituting the words "twenty-first day of September", so that the section shall read as follows:—

"22. From the eighth day of September up to and including the twenty-first day of September in each election year, the City Clerk shall, at his office during office hours, make available to any applicant any information contained in the register of electors reasonably required by such applicant. The City Clerk shall give public notice by advertisement in at least four issues of a daily newspaper published in the city

"(a) that the register of electors has been prepared;

"(b) that the information contained therein is available to applicants;

"(c) that errors and omissions may be corrected if complaint is made to the City Clerk on or before the twenty-first day of September."

Amends s. 23

**8.** Section 23 is amended by striking out the word "August" in the second line and substituting the word "September", so that the section shall read as follows:—

"23. Any person complaining that there is in the register of electors any error or omission may, on or before the twenty-first day of September of each election year, give notice in writing to the City Clerk of such complaint, and may within the same time file with him a statutory declaration in support of such complaint. In addition to those authorized by the *Evidence Act* to take and receive them, the City Clerk, and as many as three members of his staff appointed by him in writing for the purpose, may take and receive such statutory declarations."

Amends s. 25

**9.** Section 25 is amended by striking out the words "twenty-eighth day of August" in the third line and substituting the words "twenty-second day of September", and by striking out the word "fifth" in the third line and substituting the word "thirtieth", so that the section shall read as follows:—

"25. The Revising Judge shall appoint a place and time when he will begin the revision of the register of electors, which time shall not be earlier than the twenty-second day of September nor later than the thirtieth day of September in an election year."

Amends s. 26

**10.** Section 26 is amended by striking out the words "twenty-first day of August" in the first and second lines and substituting the words "fifteenth day of September", so that the section shall read as follows

" 26. The City Clerk shall, immediately after the fifteenth day of September in an election year, give public notice of the place and time so appointed by advertisement in at least three issues of a daily newspaper published in the city."

Amends s 27

**11.** Section 27 is amended by striking out the words "twelfth day of September" in the ninth and tenth lines and substituting the words "fifth day of October", so that the section shall read as follows:—

" 27. The Revising Judge shall, at the place and time appointed, begin the revision of the register of electors and proceed to adjudicate upon the complaints of which notice has been given to the City Clerk under section 23 of this Act. He may hear viva voce evidence in a summary way, or, at his discretion, may accept and act upon such statutory declarations as have been filed with the City Clerk as provided in section 23 of this Act. He may adjourn the hearing from time to time as he deems necessary, and may defer judgment on any complaint, but in any event he shall complete the revision of the register of electors by the fifth day of October."

Re-enacts  
s 152

**12.** Section 152 is repealed and the following substituted:—

" 152. The City may receive and accept any real or personal property devised or bequeathed to it or given by transfer or grant, subject to the trusts, if any, upon which the same is devised, bequeathed, or given."

Amends s 245

**13.** (1) Section 245 is amended by striking out the word "five" in the fifth line of subsection (4) and substituting the word "seven", so that the subsection shall read as follows:—

"(4) Notwithstanding the provisions of subsections (1) and (2), if any of the projects, or any part thereof, approved pursuant thereto, is delayed for any reason, the Council shall have the power to pass by-laws to borrow the funds necessary to carry out the said project without the assent of the electors at any time within seven years after the last year mentioned in the question submitted to the electors."

(2) Subsection (4) of section 245 as hereby amended shall apply to borrowing assented to by the electors both before and after the commencement of this Act.

Re-enacts  
s 269

**14.** Section 269 is repealed and the following substituted:—

" 269. There shall be a Chief Licence Inspector who, in addition to the powers and duties provided by this Act, shall have such powers and duties as the Council may assign to him from time to time."

Amends s 317

**15.** Section 317 is amended by striking out clause (p) and substituting the following:—

"(p) (i) for fixing standards of safety and of repair to be required of vehicles other than trolley-coaches, while parked or being operated on any street, and for requiring the owners and operators of such vehicles to present the same for inspection as to safety and repair at such place and at such times as the by-law

prescribes, and for imposing a charge for such inspection and for prohibiting the use or operation on any street of any vehicle which has not been presented as required for inspection pursuant to the by-law or, having been presented, fails to pass such inspection;

"(ii) for appointing a Superintendent, Motor-vehicle Inspection, and delegating to such Superintendent or his assistants or inspectors any or all of the powers of inspecting and passing or failing to pass, in accordance with the standards of safety and repair so fixed, vehicles other than trolley-coaches."

Further  
amends s. 317.

**16.** Section 317 is further amended by striking out the words " clauses (x) and (y) " where they appear in clause (z) and substituting the words " clauses (ee), (x), and (y) ", so that the clause shall read as follows:—

"(z) for appointing a commission to which the Council may delegate any or all of the powers exercisable by it under clauses (ee), (x), and (y) of this section;".

Enacts  
s. 333A

**17.** The said Act is further amended by inserting the following as section 333A:—

" 333A. Notwithstanding the provisions of section 333 hereof, where the Council has enacted a by-law pursuant to section 323 (o), 323 (p), or 323 (q) hereof, the Council may in such by-law

"(a) inflict fines and penalties in an amount not exceeding one thousand dollars for an offence against the by-law;

"(b) in cases where the offence is of a continuing nature, inflict a fine not exceeding five hundred dollars for each day such offence is continued;

"(c) inflict reasonable punishment by imprisonment with or without hard labour for any period not exceeding three months for an offence against the by-law or for the non-payment of a fine inflicted under clauses (a) and (b) of this section."

Amends s. 397

**18.** Section 397 is amended by striking out the words and letter " clause (c) of " inserted in subsection (2) by section 6 of the *Vancouver Charter Amendment Act, 1967*, and substituting therefor " clauses (a) and (c) of ", so that the subsection shall read as follows:—

"(2) Where a transfer, sale, or lease is made of real property theretofore exempt from taxation under clauses (a) and (c) of section 396 to some person not entitled to such exemption, or where real property used for some purpose which would entitle it to exemption thereunder ceases to be so used, such real property shall thereafter become liable to taxation from the date of such transfer, sale, lease, or cesser of user."